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Richard S. Myers  
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**EX PARTE OR LATE FILED**

James J. Keller\*  
Abdoul K. Traore\*

+ Admitted to Maryland only

\*Communications engineer

October 7, 1997

**VIA HAND DELIVERY**

Mr. William Caton, Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

**RECEIVED**

OCT - 7 1997

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: **Notice of Ex Parte Presentation Concerning:**  
**WT Docket No. 97-112/**  
**In the Matter of Cellular Service and Other**  
**Commercial Mobile Radio Services in the**  
**Gulf of Mexico**  
**CC Docket No. 90-6**  
**Amendment of Part 22 of the Commission's**  
**Rules to Provide for Filing and Processing**  
**Of Applications for Unserved Areas in the**  
**Cellular Service**

Dear Mr. Caton:

This is a notice that on Monday, October 6, 1997, the Myers Keller Communications Law Group ("Myers Keller") made an ex parte presentation to FCC staff in the above referenced proceedings on behalf of Petroleum Communications, Inc. ("PetroCom"). During that presentation, Myers Keller argued for the adoption of the hybrid propagation formula ("Hybrid Formula") described in PetroCom's comments in the above referenced proceedings. Myers Keller argued that the Hybrid Formula should be adopted to provide equality of treatment between cellular licensees in the Gulf of Mexico ("Gulf") and cellular licensees in markets adjacent to the Gulf. They stated that the alternative propagation showings filed by some licensees (using the Texas-20 market of United States Cellular Corporation as an example) showed that some licensees realize that the cellular signal propagates further over the Gulf and the low lying land adjacent to the Gulf. Myers Keller further declared that those commenters opposing the Hybrid Formula don't dispute the strength of their signals or the validity of the formula. These commenters only raised issues that the formula would be too complex and administratively difficult to implement and monitor. Myers Keller presented an example using the Texas-20 market to demonstrate to the

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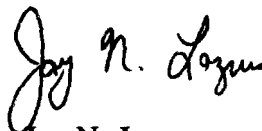
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Mr. William Caton, Acting Secretary  
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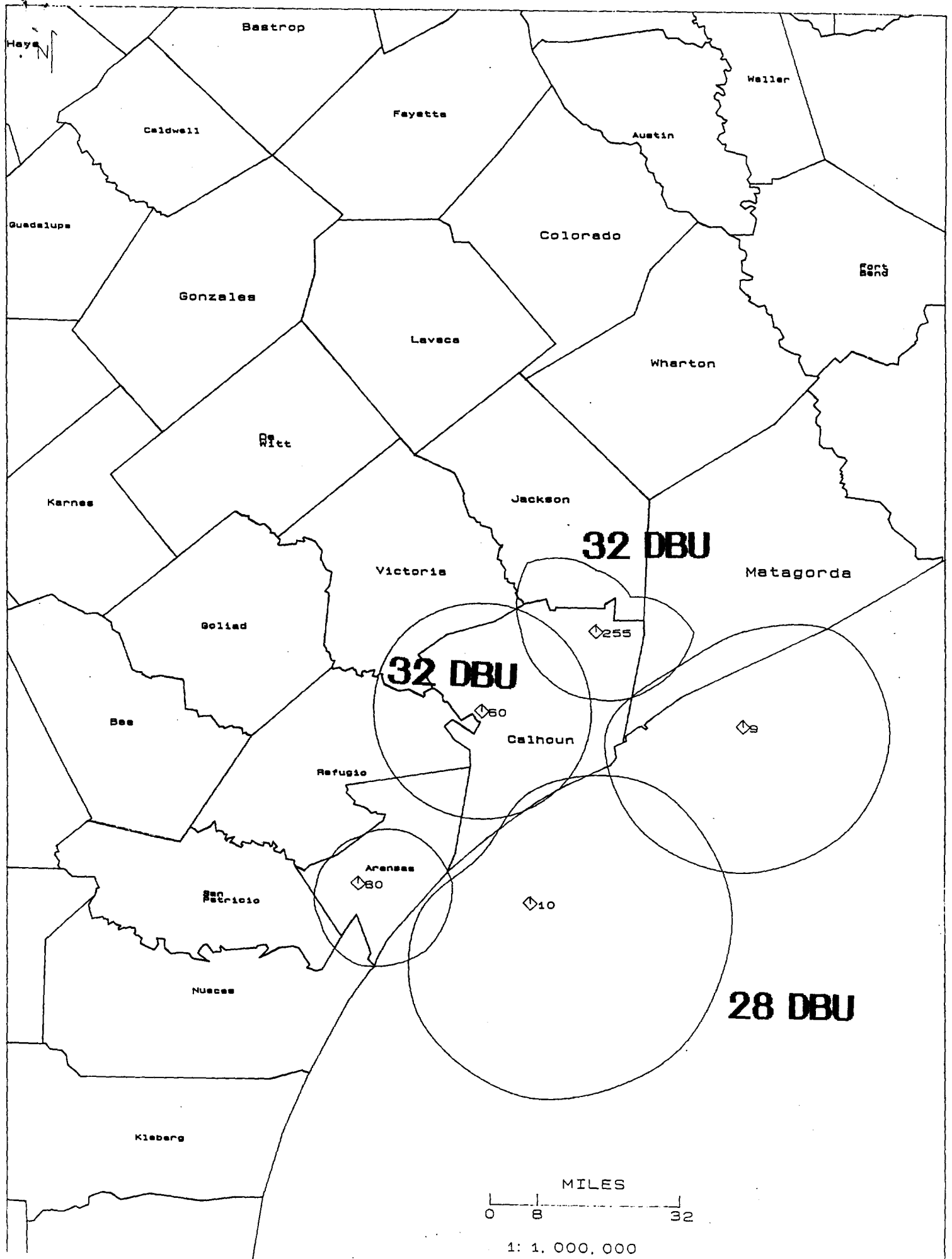
FCC staff that the Hybrid Formula would be easy to implement and that the 35 miles from the Gulf used to trigger use of the Hybrid Formula was developed based on data developed by licensees, including data from the alternative propagation showings. The final thrust of the arguments presented by Myers Keller is that in developing a final formula the FCC should use principles of fairness to ensure that the Gulf licensee does not capture cellular traffic in the land licensees' markets, and the land licensees do not capture cellular traffic in the Gulf licensee's market. Copies of documents provided to FCC staff are attached to this Notice.

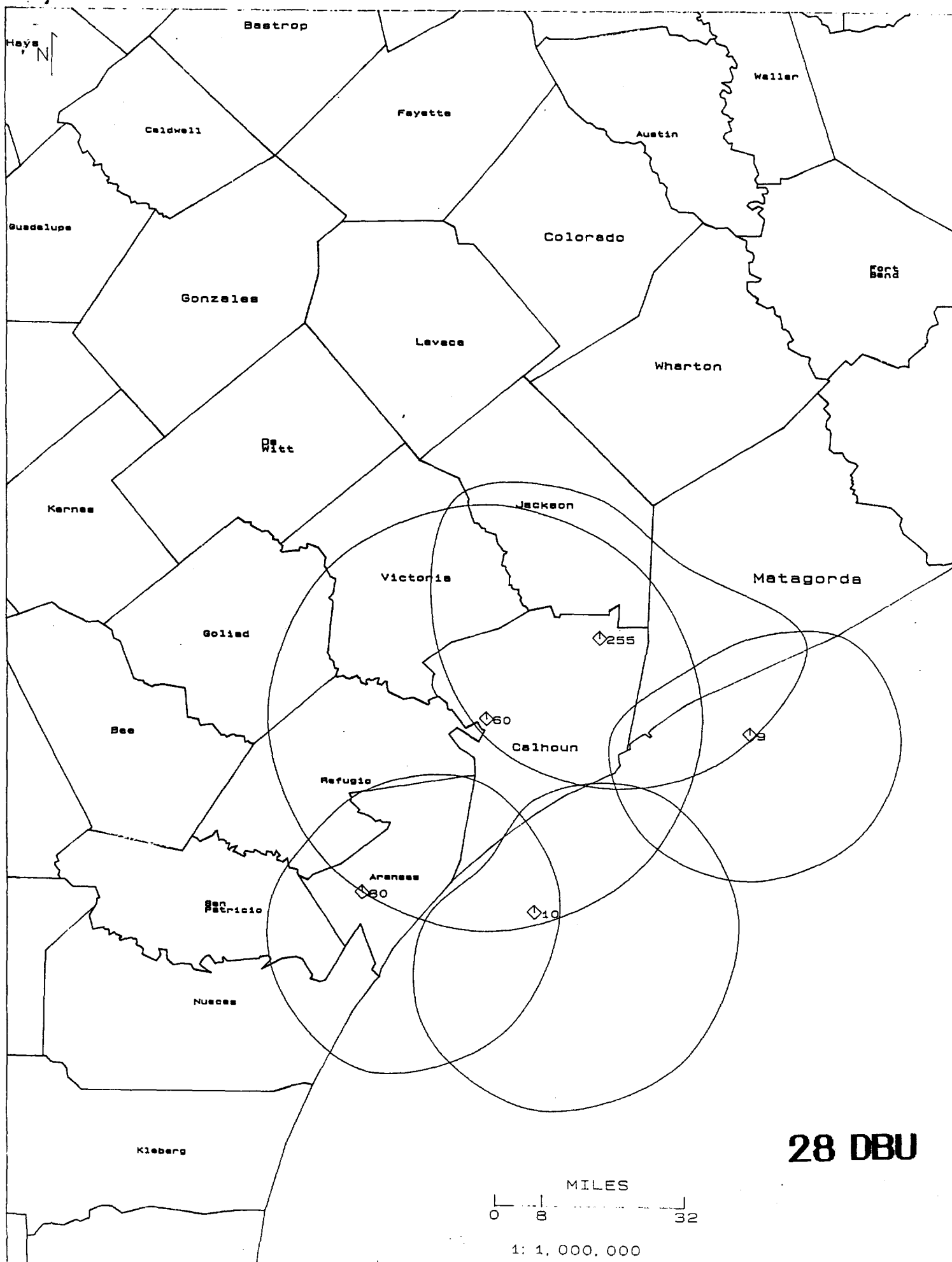
A original and one copy of this Notice are provided for each of the two dockets referenced above. Further, a copy of this Notice is being sent to each of the FCC employees present at the meeting. Finally, enclosed is a file copy of this Notice which should be stamp received and given to the courier to be returned to this office.

Very truly yours,

  
Jay N. Lazrus

cc: David Furth  
Stephen Markendorff  
Jay Jackson  
Wilbert Nixon, Esq.  
Linda Chang, Esq.  
Tim Maguire

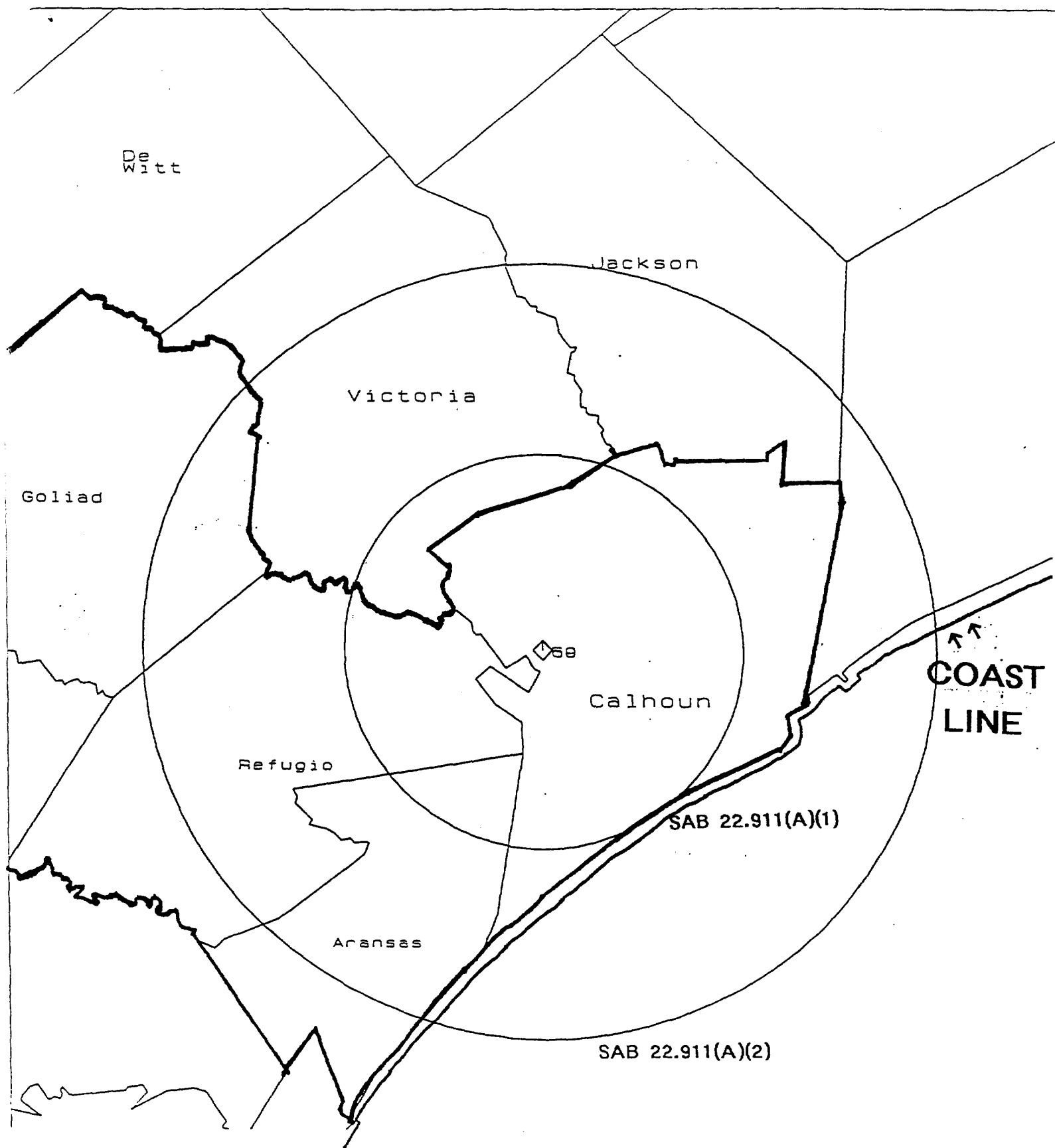




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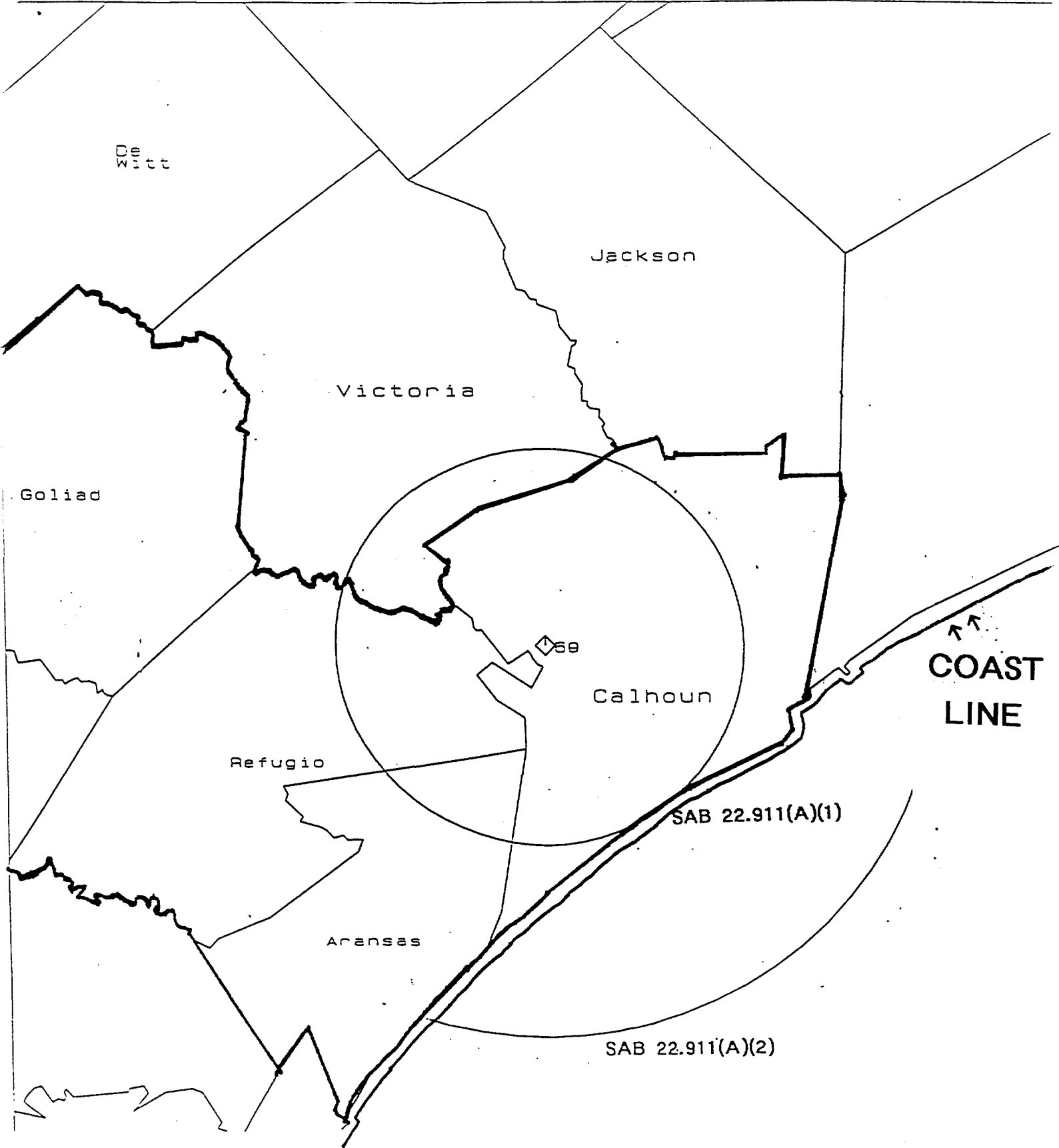
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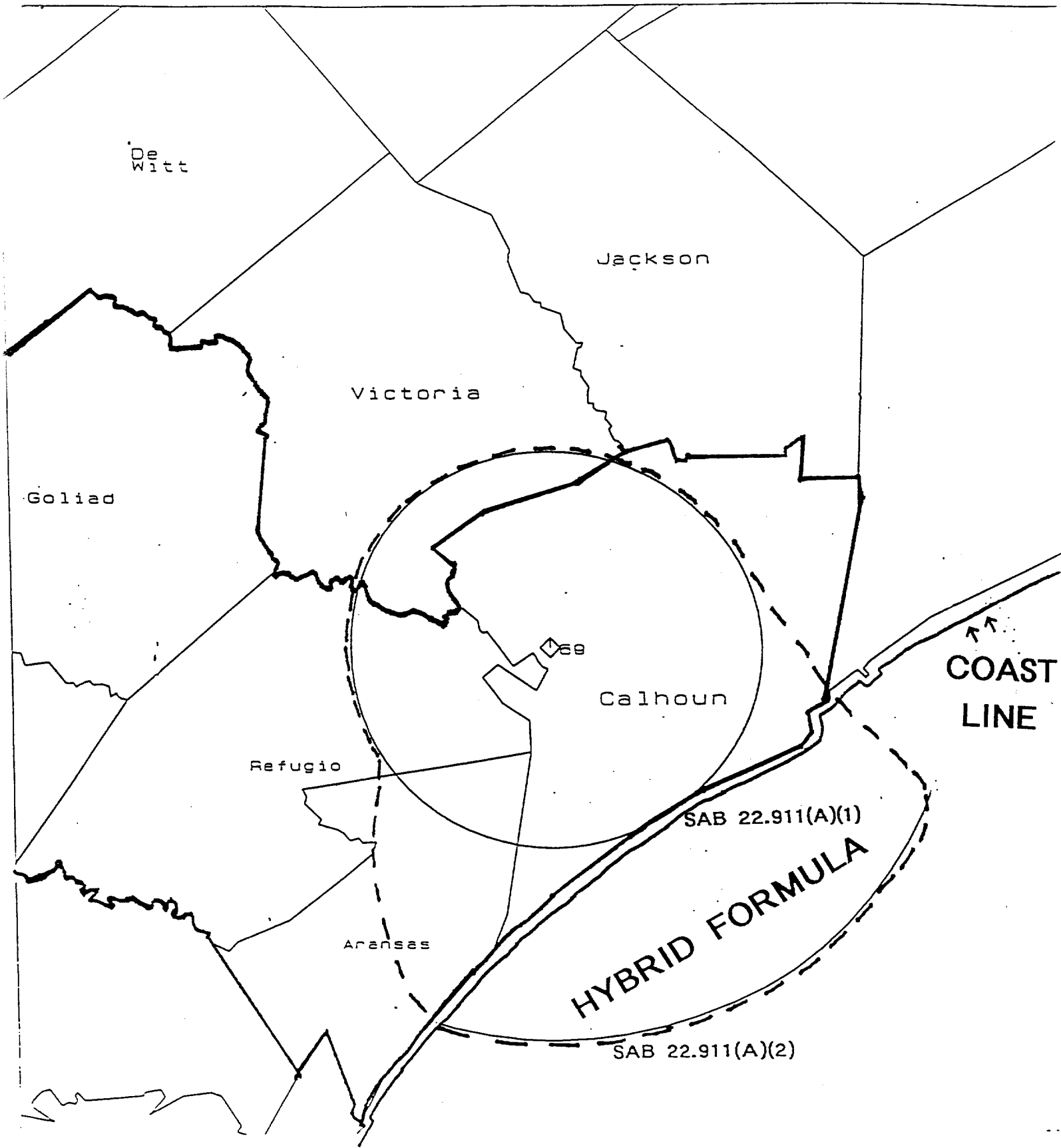
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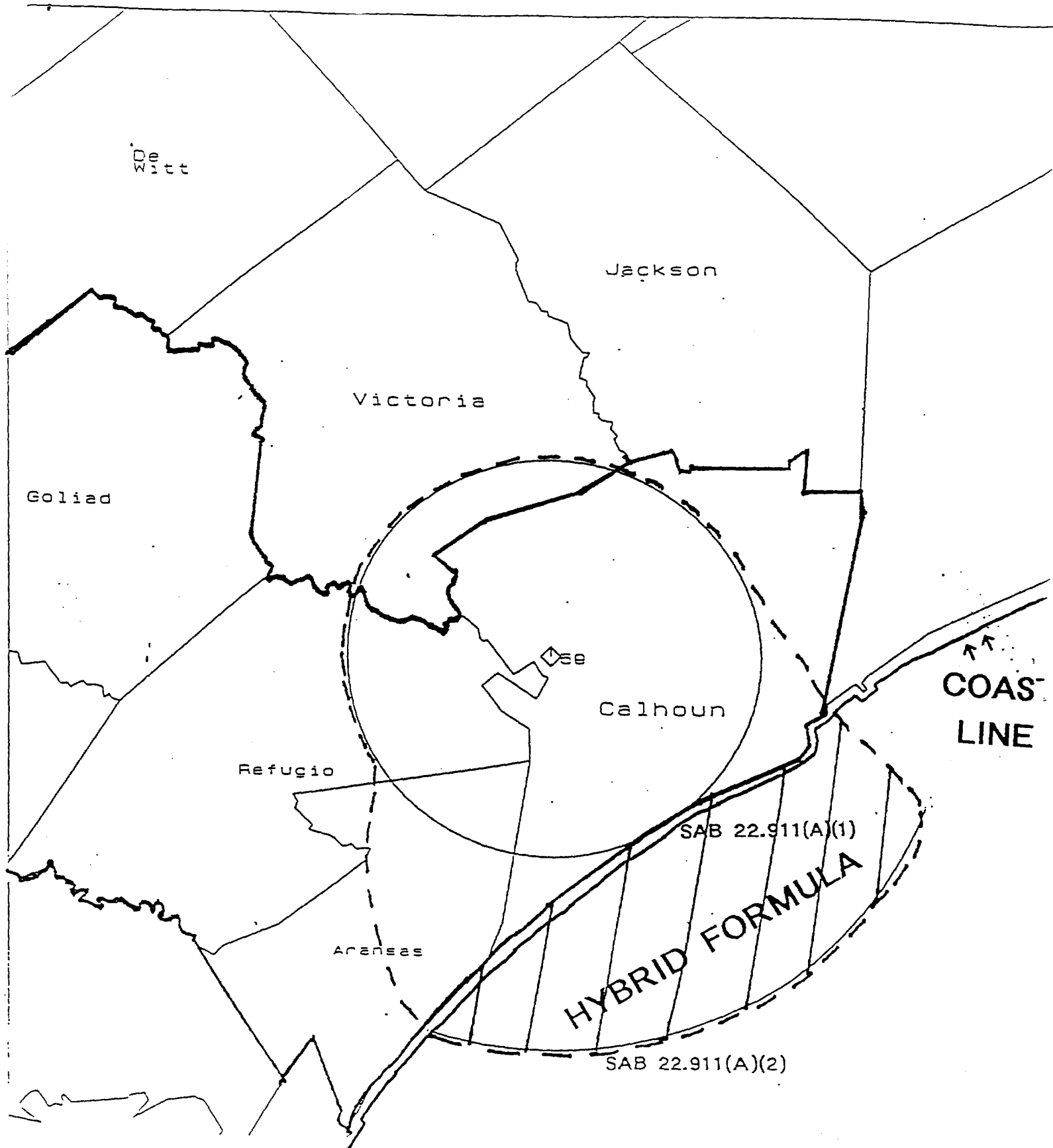
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